

PTO/SB/08A (10-01)

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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**Complete if Known**

Application Number	10/673,833
Filing Date	September 29, 2003
First Named Inventor	Darin GERLACH
Group Art Unit	3764
Examiner Name	
Attorney Docket Number	39262/287702

Sheet	1	of	2
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## U.S. PATENT DOCUMENTS

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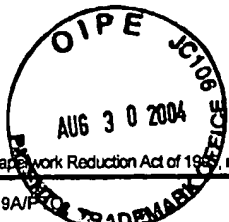
## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
PP		0 355 035 B1	02/21/1990	Europe		
PP		0 468 192 B1	09/11/1996	Europe		Claims

Examiner Signature	/Pedro Philogene/	Date Considered	05/10/2006
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Sheet 2

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**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
PP		Baumgaertel, <i>et al.</i> , "Fracture healing in biological plate osteosynthesis," <i>Injury</i> , 29(Supp. 3):S-C3-S-C6 (1998)	
PP		Bolhofner, <i>et al.</i> , "The Results of Open Reduction and Internal Fixation of Distal Femur Fractures Using a Biologic (Indirect) Reduction Technique," <i>Journal of Orthopaedic Trauma</i> , 10(6):371-377 (1996)	
PP		Farouk, <i>et al.</i> , "Minimally invasive plate osteosynthesis and vascularity: preliminary results of a cadaver injection study," <i>Injury</i> , 28(Supp. 1):S-A7-S-A12 (1997)	
PP		Farouk, <i>et al.</i> , "Minimally Invasive Plate Osteosynthesis: Does Percutaneous Plating Disrupt Femoral Blood Supply Less Than the Traditional Technique?," <i>Journal of Orthopaedic Trauma</i> , 13(6):401-406 (1999)	
PP		Frigg, <i>et al.</i> , "The development of the distal femur Less Invasive Stabilization System (LISS)," <i>Injury, Int. J. Care Injured</i> , 32(S-C24-31 (2001)	
PP		Gerber, <i>et al.</i> , "Biological internal fixation of fractures," <i>Arch. Orthop. Trauma Surg.</i> , 109:295-303 (1990)	
PP		Karnezis, <i>et al.</i> , "'Biological' internal fixation of long bone fractures: a biomechanical study of a 'noncontact' plate system," <i>Injury</i> , 29(9):689-695 (1998)	
PP		Koval, <i>et al.</i> , "Distal Femoral Fixation : A Biomechanical Comparison of the Standard Condylar Buttress Plate, a Locked Buttress Plate, and the 95-Degree Blade Plate," <i>Journal of Orthopaedic Trauma</i> , 11(7):521-524 (1997)	
PP		Krettek, <i>et al.</i> , "Minimally invasive percutaneous plate osteosynthesis (MIPPO) using the DCS in proximal and distal femoral fractures," <i>Injury</i> , 28(Supp. 1):S-A20-S-A30 (1997)	
PP		Krettek, <i>et al.</i> , "Intraoperative control of axes, rotation and length in femoral and tibial fractures," <i>Injury</i> , 29(Supp. 3):S-C-29-S-C39 (1998)	
PP		Miclau, <i>et al.</i> , "A Mechanical comparison of the Dynamic Compression Plate, Limited Contact-Dynamic Compression Plate, and Point Contact Fixator," <i>Journal of Orthopaedic Trauma</i> , 9(1):17-22 (1995)	
PP		Rüedi, <i>et al.</i> , "New Techniques in Indirect Reduction of Long Bone Fractures," <i>Clinical Orthopaedics and Related Research</i> , No. 347:27-34 (1998)	
PP		Schavan, <i>et al.</i> , "LISS - The Less Invasive Stabilization System for Metaphyseal Fractures of Femur and Tibia," <i>OTA 98 Posters</i> (1998)	

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		Number - Kind Code <sup>2</sup> (if known)			
PP		Re. 31,628	07/10/1984	Allgower, et al.	
		4,484,570	11/27/1984	Sutter, et al.	
		5,085,660	02/04/1992	Lin	
		5,470,333	11/28/1995	Ray	
		5,601,553	02/11/1997	Trebing, et al.	
		5,676,667	10/14/1997	Hausman	
		5,709,686	01/20/1998	Talos, et al.	
		5,954,722	09/21/1999	Bono	
		5,968,046	10/19/1999	Castleman	
		6,176,861 B1	01/23/2001	Bernstein, et al.	
		6,193,721	02/27/2001	Michelson	
		6,206,881 B1	03/27/2001	Frigg, et al.	
		6,306,136 B1	10/23/2001	Baccelli	
		6,358,250 B1	03/19/2002	Orbay	
		6,361,537	03/26/2002	Anderson	
		2002/0045901 A1	04/18/2002	Wagner, et al.	
		2002/0058940 A1	05/16/2002	Frigg, et al.	
		6,235,033 B1	05/22/2001	Brace, et al.	
		6,413,259	07/02/2002	Lyons et al.	
		6,428,542	08/06/2002	Michelson	
		6,440,135 B1	08/27/2002	Orbay, et al.	
		6,454,769	09/24/2002	Wagner et al.	
		6,506,191	01/14/2003	Joos	
		2002/0143338 A1	10/03/2002	Orbay, et al.	
		2001/0047174	11/29/2001	Donno et al.	
		2001/0037112	11/01/2001	Brace et al.	

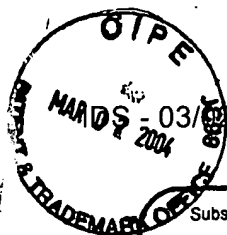
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PP		EP 0 760 632 B1	03/12/1997	Europe		
		0 486 762 B1	05/17/1995	Europe		
		WO 01/19267 A1	03/22/2001	PCT		
		EP 1169971	01/09/2002	Europe		
		WO 02/058574	08/01/2002	PCT		
		WO 01/91660	12/06/2001	PCT		
		WO 02/096309 A1	12/05/2002	PCT		

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PP		Frigg, et al. "LCP: The Locking Compression Plate System," Bone Zone (undated)	
		Brochure entitled "INTRODUCING PEAK™ POLYAXIAL ANTERIOR CERVICAL PLATE, by DEPUY MOTECH, one page, undated	
		Brochure entitled "INTRODUCING THE PROFILE™ ANTERIOR THORACOLUMBAR COMPRESSION PLATE, by DUPLY MOTECH, one page, undated	
		Marti, et al., "Biomechanical Evaluation of the Less Invasive Stabilization System for the Internal Fixation of Distal Femur Fractures," <i>Journal of Orthopaedic Trauma</i> , 15(7):482-487, 2001	

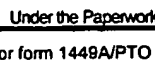
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Sheet

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**Darin GERLACH**

**Group Art Unit**

3764

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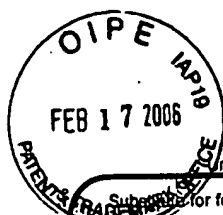
39262/287702

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PP		5,324,291	06/28/1994	Ries, et al.	
		5,395,374	03/07/1995	Miller, et al.	
		5,415,658	05/16/1995	Kipela, et al.	
		5,665,088	09/09/1997	Gil, et al.	
		5,964,769	10/12/1999	Wagner, et al.	
		6,391,030	05/21/2002	Wagner, et al.	
		2004/0087954 A1	05/06/2004	Allen, et al.	
		2005/0107796 A1	05/19/2005	Gerlach, et al.	

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		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
PP		WO 05/032386 A1	04/19/2005	Smith & Nephew		

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Sheet 1 of 1

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Application Number	10/873,833
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Art Unit	3733
Examiner Name	PHILOGENE, Pedro
Attorney Docket Number	39262/287702

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D.P.		US-6,093,921	04-2000	Wagner et al.	
		US- 6,520,985	02-2003	Chervitz et al.	
		US- 6,980,213	11-2005	Chervitz et al.	
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pp		US-802,040	10-27-1908	Wyckoff	
		US- 2,601,978	09-28-1890	Wichman	
		US- 5,627,310	06-18-1998	Cole, et al.	
		US- 5,638,127	07-16-1898	Pennig	
		US- 5,702,399	12-30-1997	Kilpeta, et al.	
		US-6,129,730	10-10-2000	Bono, et al.	
		US- 6,308,140	10-23-2001	Siddiqui	
		US- 6,368,043	03-12-2002	Adam	
		US- 2003/0018336	01-23-2003	Michelson	
		US- 6,682,533	01-27-2004	Dinsdale, et al.	
		US- 2004/0044345	03-04-2004	DeMoss, et al.	
		US- 2004/0073218	04-15-2004	Dahners	
		US- 6,730,091	05-04-2004	Pfefferle, et al.	
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